

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
05-CV-2487 (JMR/RLE)

This matter is before the Court upon the Report and Recommendation [Docket No. 13], issued November 29, 2006, by the Honorable Raymond L. Erickson, United States Magistrate Judge. No objections have been filed to the Report in the time permitted. After an independent review of the files, records and proceedings in the above-entitled matter, IT IS ORDERED that:

1. Plaintiff's motion for summary judgment [Docket No. 7] is denied.
  2. Defendants' motion for summary judgment [Docket No. 10] is granted.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 21st, 2006

s/ James M. Rosenbaum  
JAMES M. ROSENBAUM  
United States Chief District Judge